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| SERIAL NUMBER | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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08/235,827 04/29/94 KOTHA

S 2069019

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| EXAMINER |
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BRIER, J

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| ART UNIT | PAPER NUMBER |
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2609

DATE MAILED:

08/22/95

26M2/0822
LOWE, PRICE, LEBLANC & BECKER
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SUITE 300
ALEXANDRIA, VA 22314

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 7-17-95 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|-----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-28 and 41-44 are pending in the application.

Of the above, claims 29-40 are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-28 and 41-44 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

Part III DETAILED ACTION

Election/Restriction

1. Applicant's election without traverse of claims 1-28 and 41-44 in Paper No. 4 filed on July 17, 1995 is acknowledged.

Claim Objections

2. Claims 16-21 are objected to because of the following informalities:

Claim 16 "multiply accessing alternate memory addresses " should be changed to --multiple accessing of alternate memory addresses--;

Claims 17 and 20 "multiply duplicating said prescribed bit" should be changed to --multiple duplicating of said prescribed bit--.

Appropriate correction is required.

Specification

3. This application does not contain an Abstract of the Disclosure as required by 37 C.F.R. § 1.72(b). An Abstract on a separate sheet is required.

4. The following is a quotation of the first paragraph of 35 U.S.C. § 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use

the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to provide an adequate written description of the invention.

a. Applicant has described loading binary information into shifter registers 701A and 801A, but applicant has not described what kind of binary information is loaded into these shift registers. However, the claims indicate that a row or a column of a character block or scan lines of graphics data are loaded into these shift registers. Applicant should correct the specification so that the type of binary information (ie character, graphic, etc.) will be clearly described.

b. Applicant has failed to define the location of memory 905A. Memory 905A may be located in video memory 1304 as a bit map representation of the image to be presented to the user on the display screen or it may be a character or graphics generator. If it is a character generator or graphics generator then the circuit shown in figure 9A will not work because as a character generator or graphics generator the starting address 910A would be the character code or graphic code representing the character or graphic to be displayed at the current display location. There would be many character codes or graphic codes for each block of scan lines. Applicants circuit has not taken into account this situation. Clarification of the location and purpose of memory 905A is necessary. If memory 905A is the video

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memory 1304, which may be the case when claim 6 is referenced to, then the specification should associate memory 905A with video memory 1304.

c. Applicant is advised that the deletion of unsupported material or the elaboration of unsupported material from a U.S. utility patent application may be considered new matter. In In re Oda, 170 USPQ 268, 272 (CCPA 1971) the court allowed the specification of a U.S. utility patent application to be corrected in view of the fact that one of ordinary skill in the art knew of the error and that one of ordinary skill in the art knew of the solution to the error. The courts have also upheld that the disclosure of a U.S. Patent application must adequately describe to one of ordinary skill in the art that applicant had in his possession at the time of filing applicant's own alleged invention. In re Wilder, 222 USPQ 369, (CAFC June 20, 1984). In re Ghiron and Ulrich, 169 USPQ 723, (CCPA May 20, 1971). Vas-Cath inc. v. Mahurkar, 19 USPQ 2nd 1111, (CA FC, 6/7/91).

Claim Rejections - 35 USC § 112

5. Claims 1-28 and 41-44 are rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

7. Claims 12, 13, 15-17, 20, 24, 25, and 26 are rejected under 35 U.S.C. § 102(b) as being anticipated by Takebe et al U.S. Patent No. 5,068,651.

8. Claims 12, 13, 15-17, 20, 24, 25, and 26 are rejected under 35 U.S.C. § 102(e) as being anticipated by Zenda U.S. Patent No. 5,351,064.

9. Claims 6, 7, 22, and 23 are rejected under 35 U.S.C. § 102(b) as being anticipated by Shimada U.S. Patent No. 4,630,039.

Prior Art

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sharp et al U.S. Patent No. 3,579,789 describes at column 1 lines 26-30 changing the source data to fit the display and at column 5 last paragraph describes various size changes other than that which was described in detail.

Hara U.S. Patent No. 5,103,309 describes replicating and interpolating to change the resolution of the source data to fit the display size.

Masaki et al U.S. Patent No. 4,107,786 describes doubling the size of a character by selecting a shift register clock rate which is two times faster than the normal shift register clock rate.

Edwards U.S. Patent No. 4,283,724 is similar to Masaki except this reference has many magnification factors which affect each bit of binary information loaded into the shift register.

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Allowable Subject Matter

11. Claims 1-5, 8-11, 27, 28, and 41-44 are allowable over the prior art of record and would be allowable if the 35 U.S.C. § 112, first paragraph, objection to the specification is overcome.


12. Claims 14, 18, 19, and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and if the 35 U.S.C. § 112, first paragraph, objection to the specification is overcome.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery A. Brier whose telephone number is (703) 305-4723. The examiner can normally be reached on Monday through Friday from 7:15am to 3:45pm eastern time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709. The fax phone number for this Group is (703)-308-5399.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

August 18, 1995


JEFFERY BRIER
PRIMARY EXAMINER
GROUP 2600